

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TIMOTHY BOULDING,

Plaintiff,

Case No. 1:08-cv-576

v

HON. JANET T. NEFF

CORRECTIONAL MEDICAL  
SERVICES et al.,

Defendants.

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**ORDER**

Pending before the Court is Plaintiff's October 16, 2009, Objection to the Report and Recommendation (Dkt 77), in which Plaintiff delineates various objections to the magistrate's report and recommendation.

The Magistrate Judge issued a Report and Recommendation on September 18, 2009, recommending that defendant's motion for summary judgment be granted and this action be dismissed (Dkt 74). Any objection to the report and recommendation must have been filed and served within ten (10) days of service of the report on the plaintiff.<sup>1</sup> *See* 28 U.S.C. 636(b)(1)(C); Fed. R. Civ. P. 72(b). No timely objections were filed. This Court therefore entered an Opinion and Order approving and adopting the recommendation on October 9, 2009, and entered a Judgment dismissing the case (Dkt 75).

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<sup>1</sup>The time for filing objections has since been changed to fourteen (14) days.

Plaintiff did not move to extend the time to file objections, nor has he provided a reason why he untimely filed his objections to the Report and Recommendation. Therefore,

**IT IS HEREBY ORDERED** that Plaintiff's Objection to the Report and Recommendation (Dkt 77) is DENIED as untimely.

Date: January 20, 2010

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge